

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

FACTORY MUTUAL INSURANCE)	CASE NO. 8:09-CV-159
COMPANY, d/b/a MUTUAL BOILER RE,)	
)	
Plaintiff,)	
)	
vs.)	ORDER DISMISSING DEFENDANTS'
)	BAD FAITH COUNTERCLAIM
NEBRASKA BEEF, INC. and)	WITHOUT PREJUDICE
SOUTH OMAHA INVESTORS PACK,)	
L.L.C.,)	
)	
Defendants.)	

THIS MATTER came on to be heard upon the joint stipulation of the parties hereto that defendants' bad faith counterclaim be dismissed without prejudice, with each party to pay their own costs, and with complete record waived.

The Court, being fully advised in the premises, finds that such an order should be entered.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that defendants' bad faith counterclaim is dismissed without prejudice, with each party to pay their own costs and with complete record waived.

DATED this 5th day of May 2010.

BY THE COURT:

s/ Joseph F. Bataillon
CHIEF UNITED STATES DISTRICT JUDGE

PREPARED & SUBMITTED BY:

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